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March 18, 2019

BY ECF

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Richard Gaffey, 18 Cr. 693 (RMB)

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Application Granted

SO ORDERED:

Date: 3/21/19

Richard M. Berman

Richard M. Berman, U.S.D.J.

Dear Judge Berman:

We represent defendant Richard Gaffey in the above-referenced matter. As the Court directed at the conclusion of the status conference on March 12, 2019, we are respectfully submitting this request that the Court restore the original bail conditions that were imposed on Mr. Gaffey following his initial appearance in the Southern District of New York. As the Court also directed, we have conferred with the government, which has informed counsel that it consents to this request.

As the Court is aware, when Mr. Gaffey was first presented in this District on December 17, 2018, Magistrate Judge Debra Freeman released Mr. Gaffey on his own recognizance and on the conditions that his travel be limited to the continental United States; that he surrender all travel documents and not apply for any new ones; that he not possess any firearms, destructive devices or other weapons; that he maintain his current residence and not move without prior permission; and that he be subject to pretrial supervision as directed by Pretrial Services, along with the standard conditions of pretrial release. (A copy of the Order Setting Conditions of Release for Mr. Gaffey, dated December 17, 2018, is attached to this letter.)

Subsequently, this Court modified Mr. Gaffey's bail conditions in order to permit him to travel internationally. Specifically, the Court authorized Mr. Gaffey to travel to Mexico on the condition that he execute a personal recognizance bond in the amount of \$680,000, which was secured by his and his wife's primary residence and vacation home. Pursuant to the Court's order, Mr. Gaffey and his wife executed a bond that was secured by the two pieces of real estate, and his passport was returned to allow him to travel to Mexico with his wife. Also pursuant to the Court's order, following his trip, Mr. Gaffey's passport was promptly returned to Pretrial Services.

As counsel explained during the status conference on March 12, given that Mr. Gaffey does not have any further plans to travel internationally, we respectfully request that the Court re-impose the bail conditions that were originally set by Judge Freeman. This will require that Mr. Gaffey's

The Hon. Richard M. Berman

March 18, 2019

conditions of release be modified to their original terms and that the two pieces of real estate will no longer serve as security for any aspect of Mr. Gaffey's bail.

Respectfully submitted,



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